

Fort Worth Daily Gazette.

FORT WORTH, TEXAS, SATURDAY, JANUARY 27, 1883.

VOL. 7, NO. 35

AUSTIN.

Praying for a Branch of the Higher Court.

Not Offered the Supreme Tribunal Free of Charge.

Measure Introduced for the Prevention of Prairie Fires.

Introduced to Provide for Local Option Elections.

Five Hundred Dollars Appropriated to Repair the Governor's Mansion.

State Lines to be Erected on Texas Soil.

ing to Prevent the Importation of Pistols for Sale.

Penitentiary Visiting Committee Ordered to Visit General Houston's Grave.

and Comments on the Situation Around the Capital.

SENATE.

Special to the Gazette.

January 26.—By Mr. Kleberg.

From the citizens of Goliad county, asking an amendment to the law to prevent killing deer from January 1st to October 1st.

By Mr. Houston.—From the county of Bexar county, calling attention to the conflict in the laws relative to the care of convicts sent from one county to another for safe keeping, and providing for maintaining them.

By Mr. Gibbs.—Memorial from the commissioners court of Dallas county, asking that a branch of the high courts be established in that city, and bring room rent free.

By Mr. Chesley.—From the citizens of Waller county, with reference to a change in the game laws.

REPORTS.

By Mr. Pfeiffer.—From the committee on finance reported a bill amending article 110 of the penal code, and a bill defining the duties of sheriffs who are tax collectors, with the recommendation that they be paid on the basis of the number of prisoners committed to the county jail.

By Mr. Mallock.—From the committee on public lands, a bill permitting the withdrawal of land certified for school purposes from general land office, with the recommendation that it lie on the table.

By Mr. Harris.—From the committee on railroads, favorably on the resolution to rearrange the judicial districts. The report was adopted.

By Mr. Collins.—From the committee on land and stock raising, favorably on a bill to protect the wooling interests of the state.

By Mr. Fleming.—Making it the duty of railroad companies to burn the ends of their right-of-way.

By Mr. Evans.—Providing that no person shall receive fees exceeding ten cents for maintaining prisoners in the county jail.

By Mr. Houston.—To enable commissioners courts to declare streets and alleys in unincorporated towns public, and to abate nuisances in towns.

By Mr. Matlock.—To authorize the auditor to audit all proper claims against the public free school fund, due prior to July, 1873.

By Mr. Pfeiffer (by request).—To provide for fitting up the library room in the hall of the supreme court.

By Mr. Farrar.—Relative to rendering judgments in supreme and court cases; also to amend article 1,402 of the revised civil statutes.

By Mr. Pope.—Fixing the penalty for carrying a deadly weapon with intent to kill, or for carrying a deadly weapon for not less than ten years.

By Mr. Mallock.—Providing for a petition election in counties at the first of January.

By Mr. Ruff.—Providing that any person who is fined shall be paid by fire light shall be paid by fine.

By Mr. Booth.—To amend the act relating to the withdrawal of certain lands from the land office for record in different counties; also, to provide for the extension of the boundary of cities and towns by a vote of the people.

By Mr. Gibbs.—Requiring the auditor to notify his bondsmen to settle by collectors.

By Mr. Pfeiffer.—Relative to pending suits, relative to limiting the time for bringing a suit, and on motion of the senate, and on motion of the house, was referred back to the committee.

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is estrayed shall receive no compensation for the expense incurred in estraying, passed.

The bill restoring civil and criminal jurisdiction of Parker county, passed.

The bill forbidding county officers purchasing property at tax sale, passed.

The bill fixing the fee of grand jurors at two dollars per day, passed.

The bill preventing business houses from keeping open on Sunday between the hours of nine a. m. and four p. m. was laid before the senate.

Mr. Gibbs' substitute, that any merchant, grocer or dealer in wares or merchandise or trader in any lawful business whatever, who shall barter or sell on Sunday shall be fined not less than \$20 nor more than \$50, providing this article shall not apply to markets or dealers in provisions, as to sales made before 9 a. m., or to the sale of drugs, milk, ice and newspapers at any hour of the day, and, provided that towns and cities of over six thousand inhabitants may, by an ordinance, regulate the manner and hours of business on Sunday.

Mr. Davis offered to amend the original bill so as to provide that gambling on Sunday shall be punished, and it was adopted.

Mr. Martin offered to amend the original bill by compelling places of business to close after 9 a. m.

The bill was postponed till tomorrow.

RESOLUTIONS.

By Mr. Houston.—That judiciary committee No. 2 be requested to inquire into the evils complained of by the county judge of Bexar county.

Adopted.

By Mr. Pfeiffer.—From the committee to investigate the condition of the governor's mansion, reported that duty performed, and recommended an appropriation of \$4,500 to repair the same and to purchase necessary furniture. Adopted.

Adopted.

House.

The house met at ten o'clock.

A message was received from the senate announcing the passage of sundry bills which were referred to the appropriate committees by the speaker.

MEMORIALS.

By Mr. Nash.—From the bar of city of Dallas, asking a branch of the supreme court and tendering free a court room.

By Mr. Stagner.—From the citizens of Waller county, asking a pension for George C. Neill, a Texas veteran.

BILLS REFERRED.

By Mr. Burns.—Allowing county treasurers one and a half percent for receiving and payment out of school money, and five percent for receiving and five for paying out all other moneys. The bill leaves the fixing of the fee of commissioners' courts, but makes the above amounts the maximum.

By Mr. Thompson.—To amend the game law.

By Mr. Jones.—Authorizing the collection of general and special damages in cases where property is willfully or negligently detained beyond the time necessary for its transportation; also a bill making coaches on passenger trains public places and making it the duty of conductors of trains to preserve the peace.

By Mr. Frank.—Forbidding the use by commissioners of animals estrayed by them.

By Mr. Elliot.—Requiring all Texas railroads whose termini are at the state line to provide for the freight houses, etc., on Texas soil; also a bill to create a board of road commissioners and defining their pay as such.

By Mr. Stinger.—Regulating the auditing accounts of court officers by the comptroller, and extending the time from six to twelve months in which such accounts shall be presented.

By Mr. Parsons.—Creating a state board of health, for the protection of life and health and for the prevention of the spread of diseases.

By Mr. Taylor (at the request of Mr. Chambers).—To empower judges to appoint needed bailiffs.

By Mr. Browning.—To amend the law relative to levying executions and authorizing the levy on money, notes, bills of exchange, etc., and the application of the same by the sheriff in liquidation of the execution.

By Mr. Smith.—To set aside public lands in Greer county to the free school funds.

By Mr. Wortham.—Prohibiting the importation or sale in the state of pistols, knives or other weapons for offense or defense.

By Mr. Peers.—Assessing fines to be imposed against persons failing to respect a summons as jurors.

By Mr. Upton.—To amend the law relative to the suspension of a constitutional rule in legislative bodies as to the reading of bills on three several days, and dispensing with the required emergency clause.

By Mr. Cramer.—To amend the constitution so as to allow counties to invest the proceeds of their school lands in the bonds of any county in the state.

REPORTS OF COMMITTEES.

Mr. Nash, for the state affairs—Adversely the bill allowing E. S. Crosby to construct a boom across the Brazos River; favorably, with a substitute, the bill giving commissioner's courts power to grant leaves of absence to district and county judges. The substitute strikes out "district judges."

The committee recommended that the bill for the publication of Texas laws in certain newspapers be referred to the printing committee; favorably the bill for the payment of attached witnesses; adversely granting a pension to John L. Lovejoy because the constitution has not been complied with in presenting the bill.

Mr. Taylor, for the committee on rules—Favorably the resolution em-

powering a majority under a call of the house to excuse absentees. Resolution was taken up. The change proposed allows a majority present instead of two-thirds, to excuse absentees and involves the same principle as that reported several days ago, on an attempt to change rule 51.

After considerable discussion the resolution was defeated by a vote of ayes 44, nays 52; favorable to change rule 55 relative to the pay of witnesses.

REGULAR ORDER.

What is known as the ware house bill by Mr. Labatt of Galveston came up. The bill has for its principal object the enabling of factors to realize at banks loans made on goods consigned to them on presentation of certificate of such loan. The bill was discussed vigorously for several hours.

Mr. Labatt making a long and very strong speech in its favor. It was also favored by Messrs. Upton, Stagner, Jones and Wurzbach. It was opposed by Messrs. Hazlewood, Ayres, Tucker, Taylor, Frymier, Caven and Scott. The bill failed of enactment by a vote of ayes 13, nays 81.

Several committees, through their chairmen, made reports which were not read but ordered printed in the journals.

ADJOURNED.

Notes.

It is altogether probable, judging by present appearances, that the recent lease of the penitentiaries will be set aside by this legislature. It is asserted here that the state of Arkansas has leased her convicts, something over 500 in number, for \$40,000, with all expenses paid, including transportation, while Texas gets but \$20,000 for over 2,000 convicts. Besides allowing the lessee the use of a million and a half dollars worth of property. Some of the members are beginning to suspect that there is something wrong, and will strongly favor the abrogation of the lease.

The following is the text of Senator Kleberg's land bill introduced Tuesday.

Sec. 1. The state board shall have power, and it shall be its duty, to lease surveyed sections of land belonging to the common school fund of the state for not less than three years here and for terms not exceeding ten years.

Sec. 2. Land chiefly valuable for timber shall not be leased. Rental shall be paid annually in advance. The state board shall have power to make such rules and regulations, and employ such assistance, as shall be necessary to efficiently execute the powers and duties herein imposed.

Yesterday's proceedings in the house, wherein it required about an hour and a half's time to grant leaves of absence to a few county judges, demonstrates the necessity for relieving the legislature of this burdensome work. The bill giving to commissioners' courts the authority to grant such leave should become a law.

The members are being flooded with letters from county attorneys and others, who do not rightly comprehend the bill passed yesterday in the house to dispense with county attorneys in counties where there are resident criminal district attorneys. The misapprehension arises in the failure to distinguish between "district attorneys" and "criminal district attorneys." Galveston and Harris are the only counties having what are known distinctively as criminal courts, and hence the bill referred to, and which became a law yesterday, applies only to those two counties.

The committee "sat down" on Mr. Etheridge's bill providing for the constitution and penal code school books, but that gentleman proposes to argue the question before the house.

Mr. McKinney's bill to pay the university fund the money due it by the state, with accrued interest, should become a law. The state has the funds, the debt is a just one, and should be paid.

Mr. Duff has made himself solid with the mercantile pilgrims by the introduction of a bill to repeal the law taxing drummers.

Pneumonia prevails in the city and surrounding country. Bad colds of an exceedingly troublesome type prevail to an alarming extent.

Many legislators are sufferers, while at the public institutions many of the inmates are laid up. At the deaf and dumb asylum the disease is more serious than at the others, attributed to the old rickety frame buildings which let in the northers through crack and crevice. A bill has been introduced in the senate to remove the wooden buildings and replace them with substantial brick ones, and it is hoped for the comfort and health of the inmates that it will pass.

"THIRTY."

A Well Known Operator Receives His Last Message at Marshall.

Special to the Gazette.

Marshall, January 26.—David Campbell, a well known and popular telegraph operator, and son of Colonel T. J. Campbell, who represents the legal interests of the Missouri Pacific Railway, died at the residence of Dr. Marshall in this city last night. Deceased had been a sufferer from consumption for some time, and came to this city about three months ago. His remains were taken to Greenwood Cemetery at 3:30 this evening. Dave was a good boy, highly esteemed and respected by all who knew him. His death will be regretted by all of the telegraph fraternity.

SENATORIAL.

Lincoln, Neb., January 23.—The fourteenth ballot for United States senator resulted: Boyd 38, Millard 19, Thayer 15, Saunders 14, Stickle 14, Cowan 14, Mansfield 6, Connors 6, Martin 3, Lake 2, Crouse 2; balance scattering.

St. Paul, Minn., January 26.—No material change in the ballot to-day: Winslow 34, Wilson 34, Cole 16, Dunnell 10, Hubbard 8, Kindred 6, Davis 5, Strat 2, Farmer 3, Stark 4, Wakefield 2, scattering 4.

Detroit, January 26.—First ballot for senator in joint convention to-day: Ferry 46, Stout 44, Hannah 14, Willets 9, Hancock 3; remainder scattering.

SPECIAL SERVICE.

Rendered by Gazette Correspondents Throughout the State.

A Serious Fight Between Two Railroad Men at Waco.

Arrest of a Cotton Buyer, Who is Wanted Here.

Young Girl Driven to Suicide by a Faithless Lover.

Jay Cook of New York After Western Mining Lands.

Interesting Items from Denison, San Antonio and Other Points.

Special to the Gazette.

Palestine, January 26.—Oscar Duges' grocery house was closed to-day by attachment by Heidenheimer of Galveston, with other creditors in Houston and New Orleans. Assets \$1,200; liabilities \$5,000 or \$6,000.

Maggie Gregory, a young and pretty girl, threw herself deliberately before a freight train this afternoon, in Palestine, and was crushed to death. Her lover had deserted her and married another girl, a few days since.

Special to the Gazette.

San Antonio, January 26.—There was a shooting affray between two negroes last night about a woman, but no arrests were made.

The man who came here infected with small-pox is Crowell of the Southern Pacific. There are no new cases and the four under treatment are doing well.

Chabot, Moss & Co. have ordered an early carload of Lecheestershire ewes and rams, which will arrive next month.

A man named J. D. Logan of San Marcos is known to be in the city, and is sought by the police. He is wanted for extensive embezzlements.

Special to the Gazette.

Waco, January 26.—Last night about two o'clock a fight occurred on the street between Fred Rowland, a conductor on the Central Railroad, and Ben Doyle, also a railroad man, in which Rowland was severely cut in the face and neck with a knife in the hands of Doyle. The latter is now in jail.

B. Davidson, a cotton buyer, was arrested to-day and carried to Fort Worth, where he is wanted on the charge of forgery.

Major Jacob Humbert of Maryland, president of the Waco Cotton Mills, is here with a view of enlarging the capacity of the factory, which has proved a paying investment.

Special to the Gazette.

Laredo, Texas, January 26.—H. C. Fowler of this city claims the Western Union Telegraph Company failed to deliver a telegram in Taylor, in December last, for which he has filed a suit against said company for \$1,400.

Jay Cook, Jr., son of the New York banker, is in the city accompanied by mining experts, for the purpose of investigating the Rio Grande and Pecos coal mines, with a view to purchasing and operating the same on a more extensive scale than they are at present.

The Webb county court meets on the first Monday in February and continues three weeks, which time is insufficient to transact the business now on hand.

Special to the Gazette.

Denison, January 26.—There was an unusually large crowd at the skating rink last night to witness the contest for the three prizes offered the most graceful skaters.

The first prize was awarded Mrs. Wilkinson and the second to Mrs. Devoe, and the third prize to Miss Terrell. The judges were all strangers.

The Denison Social Club gives an entertainment to-night.

The bond of Lorenzo Howe, appointed city assessor, and collector, was presented to the city council last night, but was refused.

Mr. R. Polk Burhans has sold out his interest in the *Sunday Gazette* to Mr. Robert Henson, the junior partner, and retires from business connection with that paper.

It is reported that Mr. Burhans will go to Mexico. May look ahead him, and he has our forgiveness for calling us a blood and thunder reporter.

An alarm of fire was sounded last night and the boys turned out promptly and the fire, which was confined to the chimney of Owen McCarthy's house, was easily extinguished.

To-day Mrs. Streper sold a tract of land containing forty acres for four thousand dollars. The land is about two miles from town.

The land of the Denison Improvement Company is being rapidly sold at fifty dollars per acre.

The cold wave of last night did not amount to much, and it has been decidedly warm to-day.

Our merchants are receiving their spring stocks.

To the shame of our mashers our young ladies were compelled to attend the last opera alone.

FRANCE.

Paris, January 26.—The doctors fear Duclere has pleurisy, and have ordered absolute repose.

The committee on the expulsion bills will present a report to the chamber of deputies to-morrow, and debate Monday. A minority of the committee is trying to effect a compromise between the committee and the government.

FORTY-SEVENTH CONGRESS.

SENATE.

Washington, January 26.—Mr. Hale reported a joint resolution making appropriations to continue the work of the census.

Mr. Slater, from the pensions committee, reported adversely the house bill increasing the pensions of one-armed and one-legged soldiers.

Mr. Blair presented the views of a minority, including the chairman, recommending the passage of a substitute, covering more ground than the original bill, which, he said, was designed to deal justly with all classes of pensioners.

Mr. Platt, who has been unable to concur with either the majority or minority, introduced a bill raising the pensions of those now receiving \$18 to \$24, and those receiving \$24 to \$30.

Messrs. Sherman, Cameron and Mitchell presented petitions against a reduction of foreign manifold products below the rates fixed by the tariff commission.

Mr. Mahone, from the agriculture committee, reported in favor of holding a world's continental cotton exposition in 1884, and in favor of referring the agricultural appropriation bill to the committee on agriculture.

Mr. Bayard presented Salsbury's credentials of re-election. Filed.

At the close of the morning business the senate resumed the consideration of the tariff.

Mr. Morrill, in view of the brief time of the session, asked the unanimous consent to limit the debate to five minutes each.

Mr. Beck expected to occupy but little time, but objected to the five minutes rule.

Mr. Morrill appealed to the Republicans to limit remarks to five minutes.

Mr. Morrill excepted the sugar schedule from the five minutes rule.

Mr. Beck thought the iron schedule more important than sugar.

Mr. Morrill endeavored to get Mr. Beck to consent to ten minutes debate on each, but he replied, "I would not consent to ten hours although he would not occupy more time than absolutely necessary. The senate then began work on the iron paragraph. It embraces bar iron, rolled or hammered, flat and square iron of certain sizes.

On motion of Mr. Brown the duty on bar iron was reduced from 9-10 cents per pound to eighteen dollars per ton.

Brown's amendment to this amendment covers only the flats not less than one inch wide nor less than 1/2 inch thick.

On motion of Mr. Brown the duty on bar iron round, not less than 3/4 of an inch in diameter and one inch square, and iron not less than 1/2 of an inch square, was reduced from one cent per pound to twenty dollars per ton, and the duty on flat iron less than one inch wide or less than 1/2 of an inch thick and on round iron less than 1/2 of an inch thick and not less than 7-16 of an inch in diameter and square iron less than 1/2 of an inch square, from 1-10 cents per pound to twenty-two dollars per ton.

HOUSE.

Petitions were presented by Messrs. Bingham, Harmer and O'Neill of Pennsylvania, representing the commercial exchange and other associations protesting against the transfer of the revenue of the marine saving to the marine hospital and signal services, and against the abolition of the office of shipping commissioner.

A bill was reported from the military affairs committee by Mr. Davis of Illinois, granting the right way for railroad purposes through the Fort Smith military reservation.

Mr. Springer reported a joint resolution providing for printing at the public printing office the report of the tariff commission at the instance of any person on the payment of cost.

Adopted.

Shortly before 12 o'clock the house went into committee of the whole on the tariff bill.

Mr. Kelly of Pennsylvania took the floor in vindication of the bill and in support of his assertion that it was the best bill ever submitted to an American congress.

Mr. Kelly said he would not go into details, but would hold himself ready to answer any question. A number of members then proceeded to take advantage of the offer and a spirited debate ensued.

At the conclusion of the discussion, Mr. Kelly would limit the general debate to five o'clock, but accepted an amendment of Mr. Randall extending the time till to-morrow at five.

Agreed to, so the general debate will close to-morrow at five o'clock.

The house then again went into committee of the whole.

Mr. Kasson of Iowa regretted the house had determined to have any general debate. He would have preferred to proceed to a direct consideration of the details of the bill, because every day's delay was producing harm in the country and demoralizing the business.

He defended the tariff commission against the criticisms of the gentleman from Virginia, Mr. Tucker, which reminded him of the man who wanted no lawyer or bench because it would not be possible for him to be impartial in the decision of a point of law. There were articles in the bill in his opinion on which the duty was unduly imposed.

Duty was placed on some articles on the basis of protection more in the form of enterprises, instead of basis of maintenance of the average interests of the United States. If there be one poor lead mine and another rich one, he did not think congress ought to base its schedules on those rates which would protect poor enterprise and raise enormously the profits of greater series of wealth. The gentleman from Virginia (Mr. Tucker) had styled the creation of competitive establishments as monopolies when the very creation of these establishments was destructive to foreign monopoly. He was willing to treat the world with charity. He was willing to send a ship cargo of food to the poor abroad, but when he stood to legislate he would do so for the United States of America and not for the interests of foreign lands. The only practical question for congress was as to the proper rate of duty to impose on articles which the United States produced in competition with foreign countries.

He would despair of the passage of any tariff bill, and when the gentleman from Virginia contended himself with a running fire of criticisms on the bill instead of urging its consideration he did not discharge that duty which he was so well able to perform. He (Kasson) was for protection because he was for maintaining two things: The independence of his country from foreign control, and giving bread and shelter and clothing to the poorer men of the United States, who depended on their labor for their daily bread. He could not accomplish this object if he allowed, by his action, the workshops of Europe to send to this country their manufactures. He could not do so if he adopted the pure revenue standard, because when our manufacturers were forced either to perish or reduce the price of labor the bread was taken from the mouths of working men. A million homes in the United States were anxious over the solution of the pending legislation, as if their occupants lived in palaces instead of hovels. Congress could not afford to say it would pass no bill, unless every item was agreeable to every member. There never would be a revision of the tariff without some mutual concessions.

Mr. Kasson's brief speech was greeted with applause.

Mr. Mills of Texas opposed the bill as being a well acknowledged perversion of the power to congress granted by the constitution. In his opinion there never had been contained in the same amount of paper so much iniquity, fraud, false pretense and robbery as was contained in this bill.

Mr. McLane, in the course of a speech, referred to the action of congress on the subject of tariff years ago, when the gentleman from Pennsylvania (Kelly) and himself were on different sides of the question as they were to-day.

Mr. Kelly—No! I was foolish enough then to be a Democratic free trader. [Laughter.]

Mr. McLane said he had noticed no free trader ever become a protectionist who was not suffering from great confusion of mind. It was the gentleman from Pennsylvania who had said the internal revenue system should be removed and yet he came into the house to support this bill, which reduced the duties on imports and perpetuated the expense of internal revenue tax.

Mr. Kelly said the bill to reduce that tax passed the house last session and was now in the senate. He could not be put in a false position, because he had voted to lay aside the internal revenue bill in order to reach the tariff bill.

Mr. McLane said the gentleman had placed himself in a false position by having at the last session yielded his personal convictions and to the dictates of a caucus.

The committee then rose and the house adjourned.

WASHINGTON.